

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PaC403108PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/050638	International filing date (<i>day/month/year</i>) 02.12.2004	Priority date (<i>day/month/year</i>) 17.12.2003
International Patent Classification (IPC) or national classification and IPC C03C25		
Applicant SAINT-GOBAIN VETROTEX FRANCE S.A.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-18 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-25 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☐ the drawings:
- sheets _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>2, 5-7, 16, 17, 25</u>	YES
	Claims	<u>1, 3, 4, 8-15, 18-24</u>	NO
Inventive step (IS)	Claims	<u>16, 17</u>	YES
	Claims	<u>1-15, 18-25</u>	NO
Industrial applicability (IA)	Claims	<u>1-25</u>	YES
	Claims	<u></u>	NO
2. Citations and explanations (Rule 70.7)			
<p>1. Reference is made to the following documents:</p> <p>D1: WO 95/09133 A</p>			
<p>2. D1 describes an aqueous size composition for glass fibres, which includes a urethane polymer and a mixture of polyvinyl acetate and polyester (cf. claim 1, components (cf. claim 1, components (a) and (b)). The composition also includes a lubricating agent, for example a fatty acid amide (cf. page 8, lines 8 to 33) and a cross-linking agent (silane) (cf. claim 1 and page 7, lines 15 to 35). Said sized fibres may be used for making parts using the dip moulding technique (page 2, lines 3 to 11).</p>			
<p>2.1 INDEPENDENT CLAIMS 1, 18 and 24</p> <p>Consequently, D1 describes in combination all the features defined in independent claims 1, 18 and 24. The subject matter of said claims is therefore not novel (PCT Article 33(2)).</p>			
<p>2.2 INDEPENDENT CLAIM 25</p> <p>Although the production of pipes is not mentioned, as such, in D1, it is considered that claim 25 does not</p>			

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>involve an inventive step (PCT Article 33(3)).</p> <p>3. DEPENDENT CLAIMS 2 to 15, 19 to 23</p> <p>Said claims contain no features which, when combined with the features of any one of the claims to which they refer, define subject matter that complies with the PCT requirements of novelty and/or inventive step (PCT Article 33(2) and (3)).</p> <p>4. DEPENDENT CLAIMS 16 and 17</p> <p>The combination of features of claims 16 and 17 is not found in the prior art and cannot be derived in an obvious manner therefrom, for the following reasons:</p> <p>D1 is considered to be the prior art closest to the subject matter of claim 16.</p> <p>The subject matter of claim 16 differs from D1 in that a second layer including an anti-static agent is applied to the sized glass strands (referred to as "surensimage"). The technical effect obtained is that of enhancing the suitability of the glass strands for being cut.</p> <p>The problem that the present invention is intended to solve can be considered to be that of enhancing the suitability of the glass strands for being cut.</p> <p>In the light of the prior art, it is not obvious to arrive at the solution of claim 16; indeed nothing suggests this solution to a person skilled in the art.</p> <p>Consequently, the subject matter of claims 16 and 17 (which is dependent on claim 16) involves an inventive step (PCT Article 33(3)).</p>